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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

<p>Susan Webber, Jonathan St. Goddard, Rhonda Mountain Chief and David Mountain Chief,</p> <p>Plaintiffs,</p> <p>vs.</p> <p>U.S. DEPARTMENT OF HOMELAND SECURITY, THE UNITED STATES OF AMERICA, and, in her official capacity, KRISTI NOEM,</p> <p>Defendants.</p>	<p>Cause No. CV 25-26-GF- DLC</p> <p>NOTICE OF ADDITIONAL AUTHORITY</p>
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Plaintiffs respectfully submit this notice of supplemental authority, which was not cited in prior briefing because the decision was issued on May 29, 2025.

Directly relevant to this Court on the question of jurisdiction, the United States District Court for the District of Columbia issued a Memorandum Opinion in *Learning Resources, Inc., et al. v. Trump et al*, attached as Plaintiffs Exhibit 29.

In *Learning Resources*, the Court rejected the precise arguments advanced by the government in this case. At pages 13-27, the Court analyzed the issue of subject matter jurisdiction in a case challenging the same executive orders at issue here. In retaining jurisdiction over the case, the Court made two critical determinations that are directly relevant to this case:

First, the Court held “This case is not about tariffs qua tariffs. It is about whether IEEPA enables the President to unilaterally impose, revoke, pause, reinstate, and adjust tariffs to reorder the global economy. The Court agrees with Plaintiffs that it does not.” (Order p. 2).

Second, the Court held that “because IEEPA does not authorize the President to impose tariffs, the tariffs that derive from the Challenged Orders are ultra vires.” (Order p. 27.)

This ruling is directly relevant to the jurisdictional question before the Court, as well as the motion for a preliminary injunction that has been pending for two months.

Plaintiffs respectfully submit this Order as relevant to this Court, and request the Court set a hearing on their motion for a preliminary injunction at its soonest convenience to provide some relief to the Plaintiffs prior to the short but critical summer season in Montana.

DATED this 30th day of May, 2025.

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